

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAFAEL OROZCO, a minor, By His
Next Friend, ESMERELDA OROZCO,

Plaintiffs,

v.

Case No. 2:13-CV-12288
District Judge: Robert H. Cleland
Mag. Judge: Michael J. Hluchaniuk

UNITED STATES OF AMERICA,
GREGORY GLENN,

Defendants.

ORDER REFLECTING SUBSTITUTION
OF DEFENDANT UNITED STATES OF AMERICA
FOR DEFENDANT GREGORY GLENN

The Court having been informed that the Attorney General's designee has certified that Defendant Gregory Glenn was acting within the scope of his employment as an employee of the United States at the time of the incident or incidents giving rise to this suit; and the Court having been apprised of the substitution of the United States of America for him as the sole defendant to Count I of the first amended complaint filed by Plaintiff Rafael Orozco, a minor, by his next friend, Esmerelda Orozco, pursuant to the Federal Employees Liability Reform and Tort Compensation Act of 1988 § 6, Pub. L. No. 100-694, 102 Stat. 4563 (1988), 28 U.S.C. § 2679(d)(1); it is hereby

ORDERED that pursuant to the provisions of 28 U.S.C. § 2679(b)(1) and § 2679(d)(1), Count I of the first amended complaint is **DISMISSED WITH PREJUDICE** with respect to Plaintiff's claim against Defendant Gregory Glenn on grounds that the exclusive remedy for such claims against federal actors is an action against the United States of America, and because the United States has been substituted for him as the defendant to that claim.

It is further **ORDERED** that Defendant Glenn is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

S/Robert H. Cleland
ROBERT H. CLELAND
United States District Judge

Date: August 14, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 14, 2013, by electronic and/or ordinary mail.

s/Holly Monda for Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522